

**Enrolled Minutes of the Forty-second Regular or Special Meeting
For the Twenty-Eighth Highland Town Council
Regular Plenary Business Meeting
Monday, August 28, 2017**

Study Session. The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, August 28, 2017 at 6:45 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dan Vassar, Steven Wagner, and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent meeting.
2. The Town Council and the Fire Chief discussed the special insurance required under IC 36-8-12, which was to be considered by the Town Council at the imminent meeting. The Chief indicated that his recommendation or preference had been misunderstood as represented at the study session, and he was asking that the Town Council instead renew the policy under the terms of option 3 rather than option 1.

The effect would be to change from a renewing premium of \$5,767 to be paid each year for three years to a new premium of \$6,420 to be paid annually each year for three years or make a single payment of \$18,572 to lock in the policy for a three-year period. The higher premium would change the weekly disability benefit for the paid on call firefighters from an amount of up to \$1,000 per week to an amount of up to \$1,200 per week. No objection was stated by any councilor in the study session.

The study session ended at 6:58 O'clock p.m.

Regular meeting. The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, August 28, 2017 at 7:00 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Dan Vassar presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Konnie Kuiper reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, Steven Wagner, and Konnie Kuiper. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Town Attorney; Peter T. Hojnicky, Police Chief; John M. Bach, Public Works Director; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRC, Parks and Recreation Superintendent and Kenneth J. Mika, Building Commissioner were present.

Additionally present: Susan Murovic, Advisory Board of Zoning Appeals; was additionally present.

Minutes of the Previous Meetings: The minutes of the regular meeting of 14 August 2017, were approved by general consent.

General Orders and Unfinished Business:

- 1. Proposed Ordinance No. 1653:** An Ordinance to Amend the Compensation, Benefits and Personnel Program of the Municipality, known as the Compensation and Benefits Ordinance, Commonly Called the Municipal Employee Handbook Particularly Regarding Authority for Enforced Leave and Repealing Prior Ordinances and Enactments in Conflict Therewith, Pursuant to IC 36-1-3 and other relevant Statutes.

Councilor Zemen introduced and moved the consideration of Ordinance No. 1653 at the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of its introduction.

Councilor Zemen moved the passage and adoption of Ordinance No. 1653 at the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote in the affirmative being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction.

**ORDINANCE NO. 1653
OF THE
TOWN OF HIGHLAND, INDIANA**

AN ORDINANCE TO AMEND THE COMPENSATION, BENEFITS AND PERSONNEL PROGRAM OF THE MUNICIPALITY, KNOWN AS THE COMPENSATION AND BENEFITS ORDINANCE, COMMONLY CALLED THE MUNICIPAL EMPLOYEE HANDBOOK PARTICULARLY REGARDING AUTHORITY FOR ENFORCED LEAVE AND REPEALING PRIOR ORDINANCES AND ENACTMENTS IN CONFLICT THEREWITH, PURSUANT TO IC 36-1-3 AND OTHER RELEVANT STATUTES.

WHEREAS, The Town Council is the fiscal and legislative body of the Town of Highland;

WHEREAS, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs;

WHEREAS, IC 36-1-3-6 (b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

WHEREAS, IC 36-1-4, sections 14 and 15 provide in pertinent parts for the establishment of a system of employment for any class of employee and for fixing the level of compensation of its officers and employees; and

WHEREAS, IC 5-10 in several pertinent chapters further authorizes Indiana political subdivisions to participate in and provide for certain compensation plans, and group benefits for its public workforce and officers, some of which have been duly adopted and established by ordinance of the Town; and

WHEREAS, IC 36-5, Chapters 3 and 4 provide additional authority and guidelines for fixing the level of compensation of officers and employees in towns; and

WHEREAS, The Town Council has determined that an amendment of a program for compensation, benefits and personnel management for its public workforce, particularly regarding use of paid leaves or suspensions of employees during investigation of alleged misconduct, consistent with Indiana Statutes, would be of benefit to support and carryout the public purposes of the municipality; and

WHEREAS, The Town Council now desires to make such an amendment;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the established compensation, benefits and personnel program of the municipality pursuant to and consistent with the provisions of the relevant governing law, is found and determined to require certain modification;

Section 2. That the ordinance, with the short title styled as styled as the "Compensation and Benefits Ordinance" and commonly called Municipal Employee Handbook is hereby amended as follows:

§ 8.01.01 Authority for Leaves with pay during the pendency of investigations.

- (A) During the course of investigating alleged violations of work rules or employee misconduct, department managers are authorized to suspend from the work schedule an employee or employees with pay and continuation of benefits about whom the allegations are made.
- (B) The suspension may not exceed ten (10) days, excluding weekends, unless specifically approved by the relevant governing board of jurisdiction.
- (C) When the alleged violations of work rules or employee misconduct allege a department head, the authority to suspend the department head with pay and continuation of benefits is conferred upon the relevant governing board of jurisdiction.

Section 3. That amendments adopted by the passage of this ordinance, in its substantive parts shall be compiled into a complete and simplified version, excluding its preambles or formal recitals, featuring a cover and brief narratives regarding the municipality and inserted in to a presented in handbook or similar form, to be distributed to employees and officers of the municipality and may be referred to as the Employee Handbook;

Section 4. That this ordinance is to be construed as a companion ordinance complimentary to any ordinance passed from time to time establishing wages and rates of pay and known as the salary ordinance;

- (a) That this ordinance shall be effective to the extent that it is not in conflict with Federal or State law;
- (b) That all other ordinances and resolutions related to the subject matter of this ordinance and not in conflict with its provisions, and the enabling instruments dealing with public employee retirement plans, remain in full force and effect;
- (c) That all other ordinances and resolutions in conflict with the provisions of this ordinance are hereby repealed and have no further force or effect;

Section 5. That any actions made lawful by this amendment carried-out consistent with its provisions but exercised before its adoption, are hereby approved, authorized and ratified pursuant to I.C. 36-1-4-16;

Section 6. That this ordinance shall become and remain in full force and effect from and after the date of its passage and adoption upon its signature by the executive as attested thereto by the clerk-treasurer, in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 28th day of August 2017. Consideration on same day or at same meeting of introduction experienced a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 28th Day of August 2017 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

- 2. Proposed Enactment No. 2017-32:** An Enactment Regarding the Disposition of Surplus on Deposit to the Credit of the Water Cash Reserve Fund, Authorizing its transfer to the Corporation General Fund, pursuant to I.C. 8-1.5-3-11 et seq.

Councilor Herak introduced and moved the consideration of Enactment No. 2017-32 at the same meeting of its introduction. Councilor Wagner seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Enactment No. 2017-32 at the same meeting of its introduction. Councilor Wagner seconded. Upon a roll call vote, a two-thirds vote in the affirmative being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was passed and adopted at the same meeting of its introduction.

TOWN COUNCIL of the TOWN of HIGHLAND
ENACTMENT NO. 2017-32

An Enactment Regarding the Disposition of Surplus on Deposit to the Credit of the Water Cash Reserve Fund, Authorizing its transfer to the Corporation General Fund, pursuant to I.C. 8-1.5-3-11 et seq.

WHEREAS, The Town of Highland by proper legislative action has established a Department of Waterworks pursuant to IC 36-1.4-4, codified as Chapter 12.05 of the Highland Municipal Code;

WHEREAS, The Department of Waterworks is governed by the provisions of IC 8-1.5-4 and IC 8-1.5-3 in its operations and management of assets;

WHEREAS, Indiana Code 8-1.5-4-11 particularly provides for the establishment by ordinance of a Cash Reserve Fund for the waterworks, for its stewardship for loans, and transfers for payments in lieu of taxes and under IC 8-1.5-3-8(e) for rates that support reasonable return on the utility plant of the municipality;

WHEREAS, Pursuant to IC 8-1.5-3-11 (b), the Town of Highland has established a Waterworks Cash Reserve Fund, under Section 12.05.050 (A) of the Highland Municipal Code;

WHEREAS, Pursuant to IC 8-1.5-3-11 (d), the Town of Highland adopted in its budget for FY 2017 an amount to include in the corporation general fund budget, in an amount, which could have been equal to the amount in the Cash Reserve Fund at June 30 of the current year, that is the year of the budget's preparation;

WHEREAS, The amount in the Cash Reserve Fund at June 30, 2016 was \$527,670; and,

WHEREAS, Pursuant to IC 8-1.5-3-11 (d), the Town Council as the municipal legislative body desires to transfer all of the adopted amount identified in the adopted budget for FY 2017,

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That pursuant to the provisions of IC 8-1.5-3-11(d), the Town Council hereby finds and determines the following:

- (A) That the Town Council adopted and the Department of Local Government Finance approved by order the budget of the Town for FY 2017, which for its municipal general fund did include an amount of up to \$ 337,500 to be transferred from the municipal water utility cash reserve fund;
- (B) That there is a Waterworks Cash Reserve Fund established by the municipality under Section 12.05.050 of the municipal code and the amount on deposit to that cash reserve fund at June 30, 2016 was five hundred twenty-seven thousand, six hundred seventy dollars (\$527,670);
- (C) That any transfer herein authorized does not impair or adversely affect compliance with any terms or conditions of any bond ordinance or resolution, indenture, contract or similar instrument binding upon the municipality;
- (D) That the most recently adopted and effective rates and charges of the Department of Waterworks provide for rates that support reasonable return on the utility plant of the municipality, pursuant to IC 8-1.5-3-8(e), with such reasonable return to be deposited in the Cash Reserve Fund;

Section 2. That for the expenses of said municipality, the amount of **Three hundred thirty-seven thousand, five hundred dollars (\$337,500)** are hereby transferred and set apart from the **Waterworks Cash Reserve Fund** for deposit in the **Corporation General Fund**, subject to the laws governing the same, subject to the approval of the Board of Waterworks Directors, as set forth in Indiana Code 8-1.5-3-11(a);

Section 3. That the Clerk-Treasurer is hereby authorized and requested as follows:

- (A) To seek the approving action of the Board of Waterworks Directors as set forth above; and,
- (B) Upon approval, to transfer the sum identified and as authorized herein;

Section 4. That, in addition to the express authority conferred herein, the Clerk-Treasurer as the disbursing and fiscal officer of the Municipality, is hereby authorized and requested to take such steps as necessary to carry out the purposes of this enactment;

Section 5. That the money transferred may be expended from the Corporation General Fund, for purposes permitted by law, and after its appropriation in the manner set forth in IC 6-1.1-18.

Introduced and Filed on the 28th day of August 2017. Consideration on same evening of introduction attained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 28th day of August 2017 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

Approval by the Board of Waterworks Directors

It is hereby certified that the foregoing transfer from the cash reserve fund to the corporation general fund was considered at a regular or special meeting of the Highland Board of Waterworks Directors.

The transfer identified herein is duly approved pursuant to the provisions of IC 8-1.5-3-11(a) by the Board of Waterworks Directors of the Town of Highland, Lake County, Indiana, this ____ day of _____ 2017 having passed by a vote of ____ in favor and ____ opposed.

**THE HIGHLAND WATER WORKS
BY IT'S BOARD OF DIRECTORS:**

George A. Smith, President

Attest:

George M. Georgeff, Secretary

- 3. Proposed Enactment No. 2017-33:** An Enactment Regarding the Disposition of Surplus on Deposit to the Credit of the Sanitary District Sewage Cash Reserve Fund, Authorizing its transfer to the Corporation General Fund, pursuant to I.C. 8-1.5-3-11 et seq.

Councilor Wagner introduced and moved the consideration of Enactment No. 2017-33 at the same meeting of its introduction. Councilor Herak seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Wagner moved the passage and adoption of Enactment No. 2017-33 at the same meeting of its introduction. Councilor Herak seconded. Upon a roll call vote, a two-thirds vote in the affirmative being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was passed and adopted at the same meeting of its introduction.

**TOWN COUNCIL of the TOWN of HIGHLAND
ENACTMENT NO. 2017-33**

An Enactment Regarding the Disposition of Surplus on Deposit to the Credit of the Sanitary District Sewage Cash Reserve Fund, Authorizing its transfer to the Corporation General Fund, pursuant to HMC Section 12.10.110.

WHEREAS, The Town of Highland by proper legislative action has established a Department of Public Sanitation and Sanitary District pursuant to IC 36-9-25 et seq., codified as Chapter 12.10 of the Highland Municipal Code;

WHEREAS, The Department of Public Sanitation and Sanitary District is governed by the provisions of I.C. 36-9-25 and in some cases IC 36-9-23 in its operations, rate-setting and management of assets;

WHEREAS, Indiana Code 36-1-3 particularly provides for the exercise by ordinance of powers that are expressly granted to the municipality by statute and all other powers necessary or desirable in the conduct of its affairs, even though not granted by statute;

WHEREAS, Pursuant to IC 36-1-3 and IC 36-9-25 the Town adopted HMC Section 12.10.110, establishing a cash reserve fund for the wastewater and storm water utilities, for its stewardship for loans, and transfers for payments in lieu of taxes for rates that support a reasonable return on the sewage utility plant of the municipality;

WHEREAS, Pursuant to IC 36-9-25-11 (l), which expressly states that its particular provisions may not be construed to prohibit a municipal legislative body from including in an ordinance adopted under IC 36-9-25 any other provision that the municipal legislative body considers appropriate, the Town did adopt in its most recently effective rate ordinance, rates and charges that support a reasonable return on the sewage utility plant of the municipality;

WHEREAS, HMC section 12.10.110, provides that the cash reserve fund shall be governed by the provisions of IC 8-1.5-3-11;

WHEREAS, Pursuant to IC 8-1.5-3-11 (d), the Town of Highland adopted in its budget for FY 2017 an amount to include in the corporation general fund budget, in an amount, which could have been equal to the amount in the Cash Reserve Fund at June 30 of the current year, that is the year of the budget's preparation, however, there was not sufficient balance;

WHEREAS, Pursuant to IC 8-1.5-3-11 (e), the Town of Highland affirms the exigency and necessity of transferring such reserves as may have accreted since June 30, 2016 that support the planned amount for the FY 2017 budget of the Corporation General Fund;

WHEREAS, The amount in the Cash Reserve Fund at June 30, 2017 was **\$574,958**; and,

WHEREAS, Pursuant to the foregoing, the Town Council as the municipal legislative body desires to transfer **all** of the adopted amount identified in the adopted budget for FY 2017,

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the Town Council hereby finds and determines the following:

- (A) That the Town Council adopted and the Department of Local Government Finance approved by order the budget of the Town for FY 2017, which for its municipal general fund did include an amount of up to \$337,500 to be transferred from the municipal sewage cash reserve fund;
- (B) That there is a Sanitary District Sewage Cash Reserve Fund established by the municipality under Section 12.10.110 of the municipal code and the amount on deposit to that cash reserve fund at June 30, 2016 was not sufficient to support the planned transfer;
- (C) That Pursuant to IC 8-1.5-3-11 (e), the Town of Highland affirms the exigency and necessity of transferring such reserves as may have accreted to the Sanitary sewage cash reserve fund since June 30, 2016 that support the planned amount for the FY 2017 budget of the Corporation General Fund;
- (D) That the accretion of surplus funds on deposit to that cash reserve fund since June 30, 2016 is five hundred seventy-four thousand, nine hundred fifty-eight dollars (\$574,958);
- (E) That any transfer herein authorized does not impair or adversely affect compliance with any terms or conditions of any bond ordinance or resolution, indenture, contract or similar instrument binding upon the municipality;
- (F) That the most recently adopted and effective rates and charges of the Department of Public Sanitation and Sanitary District provide for rates that support reasonable return on the utility plant of the municipality, pursuant to IC 36-9-25-11(l), with such reasonable return to be deposited in the Cash Reserve Fund;

Section 2. That for the expenses of said municipality, the amount of **Three hundred thirty-seven thousand, five hundred dollars (\$337,500)** are hereby transferred and set apart from the **Sanitary District**

Sewage Cash Reserve Fund for deposit in the **Corporation General Fund**, subject to the laws governing the same, subject to the approval of the Board of Sanitary Commissioners, as set forth in Indiana Code 8-1.5-3-11(a) as adopted by reference in HMC Section 12.10.110 (A);

Section 3. That the Clerk-Treasurer is hereby authorized and requested as follows:

- (A) To seek the approving action of the Board of Sanitary Commissioners as set forth above;
and,
- (B) Upon approval, to transfer the sum identified and as authorized herein;

Section 4. That, in addition to the express authority conferred herein, the Clerk-Treasurer as the disbursing and fiscal officer of the Municipality, is hereby authorized and requested to take such steps as necessary to carry out the purposes of this enactment;

Section 5. That the money transferred may be expended from the Corporation General Fund, for purposes permitted by law, and after its appropriation in the manner set forth in IC 6-1.1-18.

Introduced and Filed on the 28th day of August 2017. Consideration on same evening of introduction attained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 28th day of August 2017 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

Approval by the Board of Sanitary Commissioners

It is hereby certified that the foregoing transfer from the cash reserve fund to the corporation general fund was considered at a regular or special meeting of the Highland Board of Waterworks Directors.

The transfer identified herein is duly approved pursuant to the provisions of IC 8-1.5-3-11(a), incorporated by reference in HMC Section 12.10.110 (A) and now adopted by the Board of Sanitary Commissioners of the Town of Highland, Lake County, Indiana, this ____ day of _____ 2017 having passed by a vote of ____ in favor and ____ opposed.

**DEPARTMENT OF PUBLIC SANITATION & SANITARY DISTRICT
BY IT'S BOARD OF SANITARY COMMISSIONERS:**

Richard Garcia, President

Attest:

David Jones, Secretary

4. **Works Board Order No. 2017-18:** An Order Authorizing, and Approving the Payment of Elective Honoraria or Stipends to the Highland Christian school in Recognition of and in Goodwill for their assistance and Support of the Annual Highland Independence festival under the aegis of the community events commission.

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2017-18. Councilor Wagner seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

AN ORDER AUTHORIZING, AND APPROVING THE PAYMENT OF ELECTIVE HONORARIA OR STIPENDS to the HIGHLAND CHRISTIAN SCHOOL IN RECOGNITION OF AND IN GOODWILL for their ASSISTANCE AND SUPPORT OF THE ANNUAL HIGHLAND INDEPENDENCE FESTIVAL UNDER THE AEGIS OF THE COMMUNITY EVENTS COMMISSION.

Whereas, The Town Council for the Town of Highland is the Legislative and Fiscal Body of the Municipality as well as the works board pursuant to IC 36-1-2 et seq.,

Whereas, The Highland Community Events Commission, did organize and marshal the annual Independence Day Festival; and

Whereas, The Highland Community Events Commission did rely on the support and special services of the Highland Christian School in carrying out its programming for the year;

Whereas, The Highland Community Events Commission has informed the Town Council that it has been customary for the payment of an honorarium or stipend to some of the participating organizations in recognition of their laudable support and contribution to the special event programming during the year;

Whereas, The Highland Community Events Commission has further recommended, requested and identified appropriations in the Special Events Non Reverting Fund be authorized to support the payment of these honoraria and stipends;

Whereas, Under its authority of IC 36-1-3, The Town passed and adopted Section 2.35.030 of the Highland Municipal Code which provides in pertinent part that the Town Council is authorized to budget and appropriate funds from the general fund of the town to pay the expenses incurred in promoting the best interests of the town and that such expenses may include, but not necessarily be limited to those incurred in developing relations with other units of government or any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the Town; and

Whereas, The Town Council has reviewed the matter, and now desires to make findings and determinations related to these recommendations and requests and to favor the recommendation and request of the Community Events Commission;

Now Therefore Be it hereby Ordered BY the Town Council of the Town of Highland, Lake County, Indiana:

Section 1. That the Highland Christian School, which granted the Community Events Commission the use of their parking lot for its vendors in the most recent **Independence Day Festival**, as may be identified by the Community Events Commission, be paid an elective honorarium, in appreciation and recognition of this participation, in the amount of **two hundred dollars (\$250)**

Section 2. That the Town Council hereby finds and determines that the forgoing activities and items of expense are lawful and proper expenses incurred in promoting the best interests of the Town as set forth in Section 2.35.030 of the Highland Municipal Code which reads as follows:

Section 2.35.030 AUTHORITY OF TOWN COUNCIL TO REIMBURSE TOWN OFFICIALS FOR CERTAIN EXPENSES.

The Town Council is hereby authorized to budget and appropriate funds from the general fund of the town to pay the expenses of, and to reimburse, town officials for expenses incurred in promoting the best interests of the town. Such expenses may include, but not necessarily be limited to meals, decorations, memorabilia, awards, expenses incurred in interviewing job applicants, expenses incurred in promoting industrial, commercial, and residential development, expenses incurred in developing relations with other units of government, and any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the town.

Section 3. That the Town Council further finds and determines that the activities and expenses as described herein, while not paid from the Corporation General Fund, are uses and expenditures consistent with the purposes of the **Special Events Non Reverting Fund, when proper appropriations are accordingly approved;**

Section 4. That the Clerk-Treasurer is hereby authorized and instructed to prepare an accounts payable voucher against the appropriate fund and account for the benefit of Highland Christian School, depicting the expense as an Honorarium or Stipend, in the amount herein fixed, and to take such other measures to carry-out the purposes and objects of this order.

Be it so ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 28th day of August 2017 having passed by a vote of 5 in favor and 0 opposed.

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
 Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

5. **Action on proposal for Fire Department Accident and Health Policy, pursuant to IC 36-8-12 et seq., as presented by Brown Insurance Group.** Provident Insurance is underwriter. Action would be for the period 08/09/2017 through 08/09/2020. The Town is being offered coverage currently in force for a premium of \$6,420 annually, which will be locked for each year, or a single payment for the three years of \$18,572. This represents an increase over the previous premiums, also locked in a three-year period of \$765 per year or approximately 13.6%. This is based upon the recommendation of the Fire Chief. (Plan 3 instead of Plan 1)

Councilor Kuiper moved to approve the renewal of the Fire Department Accident and Disability Policy, as presented by Brown Insurance Group, at the rates set forth in *Plan 3*, with an annual installment of \$6,420 paid each year of three years or a single payment of \$18,572 for the three-year period. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The policy and its coverage amounts were approved.



Provident Insurance Plan
Highland Fire Department

Death Benefits		<u>Plan 1</u>	<u>Plan 2</u>	<u>Plan 3</u>
Covered injury death benefit		\$ 150,000	\$ 150,000	\$ 150,000
Covered illness death benefit		\$ 150,000	\$ 150,000	\$ 150,000
HIV Positive Diagnosis Lump Sum Benefit		\$ 150,000	\$ 150,000	\$ 150,000
Bereavement Benefit	Up to	\$ 10,000	\$ 10,000	\$ 10,000
Dependent Child benefit per child		\$ 10,000	\$ 10,000	\$ 10,000
Seat belt benefit		\$ 37,500	\$ 37,500	\$ 37,500
Airbag benefit		\$ 37,500	\$ 37,500	\$ 37,500
Final Expenses Benefit	Up to	\$ 10,000	\$ 10,000	\$ 10,000
Spousal Benefit		\$ 15,000	\$ 15,000	\$ 15,000

Impairment Benefits		<u>Plan 1</u>	<u>Plan 2</u>	<u>Plan 3</u>
Dismemberment lost of Speech or hearing	Up to	\$ 150,000	\$ 150,000	\$ 150,000
Vision Impairment	Up to	\$ 150,000	\$ 150,000	\$ 150,000
Cosmetic disfigurement from burns	Up to	\$ 150,000	\$ 150,000	\$ 150,000
Permanent physical impairment	Up to	\$ 150,000	\$ 150,000	\$ 150,000
Felonious Assault Benefit	Up to	\$ 75,000	\$ 75,000	\$ 75,000
Impairment modification	Up to	\$ 50,000	\$ 50,000	\$ 50,000
Paralysis	Up to	\$ 150,000	\$ 150,000	\$ 150,000

Income Protection Benefits		Plan 1	Plan 2	Plan 3
Weekly total disability benefits	Up to	\$ 1,000	\$ 1,100	\$ 1,200
Covered injury minimum weekly total disability	Up to	\$ 100	\$ 100	\$ 100
Covered illness minimum weekly total disability	Up to	\$ 100	\$ 100	\$ 100
Covered injury weekly earned income	Up to	\$ 900	\$ 1,000	\$ 1,100
Covered illness weekly earned income	Up to	\$ 900	\$ 1,000	\$ 1,100
Partial disability	Up to	\$ 1,000	\$ 1,100	\$ 1,200
Cost of living adjustment	Up to	\$ 3,000	\$ 3,300	\$ 3,600
First week disability	Up to	\$ 1,000	\$ 1,100	\$ 1,200
Transition benefit	Up to	\$ 1,000	\$ 1,100	\$ 1,200
Retraining Benefit	Up to	\$ 20,000	\$ 20,000	\$ 20,000

Medical Expenses		Plan 1	Plan 2	Plan 3
Medical expense benefit	Up to	\$ 75,000	\$ 75,000	\$ 75,000
Plastic surgery benefit	Up to	\$ 25,000	\$ 25,000	\$ 25,000

Additional Benefits		Plan 1	Plan 2	Plan 3
Daily hospital confinement& outpatient treatment		\$ 15	\$ 20	\$ 25
Daily critical care benefit		\$ 30	\$ 40	\$ 50
Family expense benefit	Up to	\$ 10,000	\$ 10,000	\$ 10,000
Occupationalrehabilitation benefit	Up to	\$ 5,000	\$ 5,000	\$ 5,000
Mental stress management benefit	Up to	\$ 10,000	\$ 10,000	\$ 10,000
Traumatic incident benefit	Up to	\$ 2,500	\$ 2,500	\$ 2,500
Health Insurance premium benefit	Up to	\$ 12,000	\$ 12,000	\$ 12,000
Surviving spouse education benefit	Up to	\$ 10,000	\$ 10,000	\$ 10,000
Dependent Child education benefit	Up to	\$ 10,000	\$ 10,000	\$ 10,000

Three year Installment Premium		Plan 1	Plan 2	Plan 3
Provides a 3-year rate guarantee paid in installments		\$ 5,798	\$ 6,106	\$ 6,420

Thre year prepaid premium		Plan 1	Plan 2	Plan 3
Provides a three year rate guarantee 10% discount		\$ 16,771	\$ 17,662	\$ 18,572

Comments from the Town Council:

- **Councilor Bernie Zemen:** *Chamber of Commerce Co-Liaison • IT Liaison*

Councilor Zemen acknowledged the Building Commissioner who reported on the matters being considered by the Plan Commission.

- **Councilor Mark Herak:** *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Board of Waterworks Directors.*

Councilor Herak acknowledged the Public Works Director, who offered a report on sanitary district and water utility projects, particularly the Johnston Street Improvement as well noting that some of the lighted street signs have been installed.

- **Councilor Steve Wagner:** *Advisory Board of Zoning Appeals Liaison • Redevelopment Commission Liaison.*

Councilor Wagner acknowledged the Building Commissioner, who offered an overview of matters before the Advisory Board of Zoning Appeals. The Building Commissioner noted that the Advisory Board of Zoning Appeals is considering a change to the current process requiring petitioners to participate in a preliminary hearing. The Board is considering whether the objectives of the preliminary hearing could be better served at the administrative level during the application and filing process.

- **Councilor Konnie Kuiper:** • *Town Board of Metropolitan Police Commissioners, Liaison • Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Fire Chief, who reported on a recent quarterly emergency management meeting. The hurricane and the emergency response issues associated with Hurricane Harvey in Houston was discussed, noting that some of the issues would not likely be experienced in northwest Indiana.

It was also noted that the bridge on Kennedy Avenue, that crosses the Little Calumet River, will be raised, which will eliminate the need to sandbag near it during flood events. However, it was further noted that the project is perhaps a year away from implementation.

The Fire Chief further reported on the status of the possible loss of service by Prompt Ambulance as the emergency medical response provider for the Town.

- **Councilor President Dan Vassar:** *Town Executive • Chair of the Board of Police Pension Trustees • Liaison to the Park and Recreation Board.*

The Council President expressed words of encouragement and affirmation to the people of Houston, Texas and the experience of Hurricane Harvey.

The Town Council President thanked the Public Works Director and the Operations Director for their hand in responding to conditions of some sidewalks on north Indianapolis Boulevard near the site of the former Stan's Bait Shop.

The Town Council President noted that Steve Mileusnich, formerly of the Advisory Board of Zoning Appeals, who was present earlier in the meeting and departed. The Town Council President thanked him again for his service on the ABZA and wished his wife and him well in their relocation to Tennessee.

The Town Council President acknowledged the Parks and Recreation Superintendent who offered an overview and survey of parks and recreation programing and improvements planned for Northwood Park.

Comments from Visitors or Residents:

1. Terry Steagall, 8577 Kleinman Road, Highland, raised concerns owing to the issues recently experienced in Charlottesville, Virginia, from a public assembly of persons associated with White Supremacy. He asked that perhaps the Town Council consider passing a resolution expressing opprobrium regarding the conduct exhibited there.
2. Vern Sieb, 3024 Lakeside Drive, Highland, expressed concerns about an adjoining business near his in the Industrial Park. Mr. Sieb expressed concerns over certain ordinance violations that he alleged were still occurring at the site on an access Mr. Sieb described as public easement.

With leave from the Town Council, Mr. Sieb and the Town Attorney engaged in an extended colloquy regarding the issues presented generally by Mr. Sieb and the issue of whether the easement described was a public or private easement in particular. The Town Attorney indicated that he believed that the easement was in fact a private easement.

Payment of Accounts Payable Vouchers. There being no further comments from visitors or residents, Councilor Zemen moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period **August 15, 2017** through **August 28, 2017**. Councilor Wagner seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$209,020.05; Motor Vehicle Highway and Street (MVH) Fund, \$13,096.01; Local Road and Streets Fund, \$10,568.28; Law Enforcement Continuing Education, Training, and Supply Fund, \$1,524.18; Flexible Spending Account Agency (FSA) Fund, \$1,088.90; Gasoline Agency Fund, \$6,387.50; Information and Communications Technology Fund, \$2,304.10; Civil Corporate Donation Fund, \$150.00; Special Events Non Reverting Fund, \$41.56; Police Pension Fund, \$67,699.13; Municipal Cumulative Capital Development Fund, \$108.95; Traffic Violations and Law Enforcement Agency Fund, \$10,266.00; Total: \$322,254.66.

Adjournment of Plenary Meeting. Councilor Herak moved that the plenary meeting be adjourned. Councilor Wagner seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, August 28, 2017 was adjourned at 7:45 O'clock p.m.

(Scrivener's note: The Town Council by previous notice issued pursuant to IC 5-14-1.5-6.1 met in Executive Session immediately following the meeting. The memorandum of the executive session is on file with the records of the Town with the Clerk-Treasurer.)

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer